



Ohio Legislative Service Commission

Bill Analysis

William Schwartz

Am. Sub. H.B. 228 130th General Assembly (As Passed by the House)

Reps. Brenner and Gonzales, Beck, Boose, Burkley, Derickson, Duffey, Fedor, Green, Grossman, Hayes, Kunze, Letson, Patterson, Pelanda, Perales, Phillips, Rogers, Ruhl, Schuring, Sheehy, Slaby, Stebelton, Young, Batchelder

BILL SUMMARY

- Limits to four hours per year the duration of the administration of each state achievement assessment beginning with the 2015-2016 school year.
- Specifies that the bill's time limit *does not* apply to (1) assessments for students with disabilities, (2) the nationally standardized assessment that measures college and career readiness, (3) the third-grade English language arts assessment, (4) any diagnostic assessment for students who did not pass the third-grade English language arts assessment, or (5) substitute examinations in physical science, American history, or American government.
- Specifies August 1, instead of "the first day of the school year" as under current law, as the earliest date by which a student may take the kindergarten readiness diagnostic assessment.
- Permits a school district or school to administer the kindergarten readiness diagnostic assessment all at one time or in portions at different times, so long as the assessment has been administered in its entirety by November 1 of the school year.
- Requires the Department of Education to develop a table of assessments that may be used for multiple purposes and for which a measure of student performance or aptitude is required, in order to reduce the total number of assessments administered by a school district or school.
- Requires the Department to determine which components of the resident educator performance-based assessment may be used as part of the teacher evaluation system.

- Requires the Department of Education, except as otherwise prescribed by federal law, to consider as an acceptable measure of technical skill attainment (1) an industry-recognized credential or (2) a license issued by a state agency or board for practice in a vocation that requires an examination for issuance of that license and prohibits the Department from requiring a student with such credential or license to take additional technical assessments.
- Extends through the 2015-2016 school year a current provision prohibiting the Department from requiring school districts, other public schools, and chartered nonpublic schools to administer any state achievement assessment in an online format.
- Requires the Department to conduct a comprehensive survey of the capacity and readiness of each school district for the online administration of the state achievement assessments based on recommended specifications for such administration of the assessments and to report the results of the survey to the Governor, the State Board of Education, and the chairpersons and ranking members of the House and Senate Education Committees by June 30, 2015.
- Requires the Department to study the impact on student performance of the online administration of the state achievement assessments and submit results of the study to the General Assembly and Governor by June 30, 2015.
- Requires the Department, by April 1, 2015, to report to the General Assembly an estimate of the cost to the state of guaranteeing each city, exempted village, and local school district a minimum state operating payment equal to the greater of \$1,000 or the per-pupil amount computed for the district for fiscal year 2013.

CONTENT AND OPERATION

Duration of state achievement assessments

Beginning with the 2015-2016 school year, the bill limits to four hours per year the duration of the administration of each required elementary and secondary achievement assessment. The bill specifies, however, that its time limitation does not apply to (1) assessments for students with disabilities, (2) the nationally standardized assessment that measures college and career readiness, (3) the third-grade English language arts assessment, (4) any diagnostic assessment for students who did not pass

the third-grade English language arts assessment, or (5) substitute examinations in physical science, American history, or American government.¹

Current law does not specify any time limitation on the testing administration for any assessment.

Background on state achievement assessments

State law, in part in compliance with the federal No Child Left Behind Act, requires the administration of annual reading and math assessments to students in grades three through eight and science assessments to students in grades five and eight. The state further requires the administration of an annual social studies assessment to students in grades four and six, but those tests are not required under federal law.

The composition of elementary-level achievement assessments are shown below.

	English language arts	Math	Science	Social Studies
Grade 3	X	X		
Grade 4	X	X		X
Grade 5	X	X	X	
Grade 6	X	X		X
Grade 7	X	X		
Grade 8	X	X	X	

For high school students, state law currently requires the administration of the Ohio Graduation Test (OGT). The OGT includes five different test subjects in reading, writing, mathematics, science, and social studies. It is administered to tenth graders and to eleventh and twelfth graders who failed one or more subject test.² However, the OGT will be replaced by the college and work ready assessment system beginning with students who enter the ninth grade for the first time on or after July 1, 2014. The college and work ready assessment system consists of:

(1) A nationally standardized assessment that measures college and career readiness and is used for college admission; and

¹ R.C. 3301.0710(C), third paragraph.

² R.C. 3301.0710(B)(1).



(2) A series of seven end-of-course examinations, one each in the areas of English language arts I, English language arts II, physical science, Algebra I, geometry, American history, and American government.

Administration of kindergarten diagnostic assessments

Current law generally requires school districts, community schools, and STEM schools to administer diagnostic assessments in reading, writing, and mathematics to students in grades K through 3 by September 30 of each school year.³ The law also requires each kindergarten student to take the required kindergarten readiness diagnostic assessment "not earlier than the first day of the school year" and not later than the first day of November.⁴ According to the Ohio Department of Education, the kindergarten readiness diagnostic assessment is composed of six areas: "social skills (including social and emotional development, and approaches toward learning), mathematics, science, social studies, language and literacy, and physical well-being and motor development."⁵

The bill specifies August 1, instead of "the first day of the school year," as the earliest date by which a student may take the kindergarten readiness diagnostic assessment.⁶ It also permits a district or school to administer that assessment all at one time or in portions at different times, so long as the assessment has been administered in its entirety by November 1 of the school year.⁷

Use of assessments for multiple purposes

Table

In order to reduce the total number of assessments administered by a district or school, the bill requires the Department of Education to develop a table of assessments that may be used for multiple purposes for which a measure of student performance or aptitude is required. The table must include achievement assessments, diagnostic assessments, end-of-course examinations, substitute examinations, examinations related to student academic growth measures, and other assessments. The Department must

³ R.C. 3301.0715. See also R.C. 3301.079(D), 3314.03(A)(11)(d), and 3326.11, none in the bill.

⁴ R.C. 3301.0715(A)(2).

⁵ At the Ohio Department of Education website, <http://education.ohio.gov>, under "Topics," click on "Early Learning," click on "Kindergarten," then under "Quick Links," click on "Ohio's New Kindergarten Readiness Assessment."

⁶ R.C. 3301.0715(A)(2).

⁷ R.C. 3301.0715(A)(2), third paragraph.



make the table available to school districts, community schools, STEM schools, college-preparatory boarding schools, and chartered nonpublic schools.⁸

Resident educator performance-based assessment

The bill also requires the Department to determine which components of the resident educator performance-based assessment used for the Ohio Teacher Residency Program may be used as part of the required teacher performance evaluations.⁹

Currently, most newly licensed educators are issued either a resident educator license or an alternative resident educator license under which they also must complete a four-year teacher residency program.¹⁰ Separate law requires school districts and many community schools and STEM schools to evaluate each of their teachers on an annual, two-year, or three-year basis depending upon certain conditions.¹¹ Many of the assessments used for these separate purposes are student assessments, the scores of which are used to measure teacher performance. The bill requires the Department to determine which components of one program's student assessments may be used to suffice for those of the other.

Career-technical education assessments

The bill requires the Department of Education, except as otherwise prescribed by federal career-technical education law, to consider the following as an acceptable measure of technical skill attainment: (1) an industry-recognized credential, or (2) a license issued by a state agency or board for practice in a vocation that requires an examination for issuance of that license. The bill further prohibits the Department from requiring a student with such credential or license to take additional technical assessments.¹²

Online administration of assessments

Current law prohibits, for the 2014-2015 school year only, school districts and schools from being required to administer the state achievement assessments in an online format, and permits a district or school to administer such assessments in any combination of online and paper formats. Regardless of which format a district or

⁸ R.C. 3301.132(B).

⁹ R.C. 3301.132(A).

¹⁰ R.C. 3319.22 and 3319.223, neither in the bill.

¹¹ R.C. 3319.111, 3319.112, and 3319.114, none in the bill.

¹² R.C. 3313.903.



school chooses, the Department is required to furnish, free of charge, all required state assessments for that school year.¹³

The bill extends through the 2015-2016 school year the prohibition on requiring online administration of assessments and the requirement for the Department to furnish, free of charge, the assessments in any format.¹⁴

Study on capacity and readiness

The bill requires the Department to conduct a comprehensive survey of the capacity and readiness of each school district for the online administration of the state achievement assessments based on recommended specifications for such administration of the assessments. The survey must include information regarding hardware, software, bandwidth, technical support, security requirements, training for teachers regarding the administration of assessments, and training for students regarding taking the assessments. The results of the survey and a detailed implementation plan to address any issues or problems identified in the survey must be compiled and presented by June 30, 2015, to the Governor, the State Board of Education, and the chairpersons and ranking members of the House and Senate Education Committees.¹⁵

Study of impact on student performance

Separately, the bill requires the Department to study the impact on student performance of the online administration of the state achievement assessments and submit results of the study to the General Assembly and Governor by June 30, 2015.¹⁶

School funding guarantee estimate

The bill requires the Department of Education to report to the General Assembly by April 1, 2015, an estimate of the cost to the state for each of fiscal years 2016 and 2017, if it were to guarantee each city, exempted village, and local school district a minimum state operating payment equal to the greater of \$1,000 or the per-pupil amount computed for the district for fiscal year 2013.¹⁷ The bill specifies that the per pupil amount in the estimate be computed by dividing the aggregate amount of state operating funding paid to a school district for fiscal year 2013 by the number of

¹³ Section 10 of Am. Sub. H.B. 487 of the 130th General Assembly.

¹⁴ See Sections 3 and 4 of the bill.

¹⁵ Section 5(B).

¹⁶ Section 5(A).

¹⁷ Section 6.



students in the district's formula ADM for that fiscal year. Formula ADM is a school district's student count for funding purposes. It is computed by the Department for each district based on the district's enrollment, which is reported to the Department three times each fiscal year.

HISTORY

ACTION	DATE
Introduced	07-02-13
Reported, H. Education	11-18-14
Passed House (88-4)	11-20-14

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